

## **Employee Questions Federal Appointments and Benefits**

What effect will SEC. 7220 of the Farm Bill of 2002 have on my appointment?

SEC. 7220 (a) requires the termination of your Federal Schedule A appointment and it will be effective 1/31/03. However, if you were participating in or were eligible to participate in the following Federal benefit programs on May 12, 2002, you will continue to be eligible to participate in these programs only:

- Federal Employees Health Benefits Program (FEHB);
- Federal Employee Group Life Insurance Program (FEGLI);
- Civil Service Retirement System (CSRS);
- Federal Employee Retirement System (FERS);
- Thrift Savings Plan (TSP);
- Federal Long Term Care Insurance Program (FLTCIP).

### **A. BENEFITS**

Q1. Will I continue to receive creditable service towards Federal retirement after 1/31/03?

A1. Yes. All CES service after 1/31/03 will continue to be creditable for Federal retirement as long as you continue to meet the following employment conditions:

1. Formally employed in a Cooperative Extension Service(CES) organization;
2. Perform at least 50% Extension function; and
3. Extension function must be performed on a permanent basis and year round.

Q2. If my CES organization permits 9-month appointment arrangements, can I elect this type of an arrangement and continue my Federal benefits?

A2. No. Your Federal benefits are based on a permanent year round arrangement with Extension functions being performed throughout the entire year. The appointing authority granted to USDA and CES from the Office of Personnel Management was based on the fact that the employees would be permanent, i.e., appointed without any limitations on the Federal appointments; and that the employees would work 12 months a year and make full-time (2080/2087 hours) annual contributions to the retirement fund based on their perspective pay periods, e.g., bi-weekly, monthly, 1<sup>st</sup> and the 15<sup>th</sup> of each month, etc. Multiple appointment arrangements which equate to 12 months, such as a 9 month appointment and a 3 month summer appointment are not permissible either.

Q3. If I have deposit or redeposit service, will I be able to make these deposits after 1/31/03?

- A3. Yes. All creditable service will continue to be creditable service after 1/31/03 and any creditable service that requires a deposit or redeposit in order for the service to be creditable for retirement purposes will be permitted under the Federal regulations.
- Q4. Will I be able to request and receive a refund for excess contributions after 1/31/03 and before I plan to retire?
- A4. Yes. If an employee has excess contributions they can request a refund and receive the refund after 1/31/03.
- Q5. Will I be able to make voluntary contributions to my Federal retirement plan after 1/31/03?
- A5. Yes. An employee can make voluntary contributions after 1/31/03 if they desire to.
- Q6. Will I be able to continue to participate in the Federal Health Premium Conversion (HB-PC) plan if my CES organization participates in it?
- A6. Yes. You can continue to participate in HB-PC.
- Q7. If I participate in my states Premium Conversion (PC) for FEHB, can I change from family to self only at any time or am I subject to the provisions of the FEHB on PC?
- A7. You are subject to the provisions of the FEHB on PC even though you are under the states PC. Employees will be able to change from family to self only at any time IF the employees file a waiver for the Federal PC plan.
- Q8. Will I be able to participate in new Federal benefit and retirement programs available after 1/31/03?
- A8. No. You will only be eligible to participate in only the following programs as long as you were eligible to participate in them on May 12, 2002.

- FEHB
- FEGLI
- CSRS
- FERS
- TSP
- FLTCIP

Note: Changes and new features for the current Federal Benefits programs such as FEHB, FEGLI, TSP and FLTCIP will be offered to the CES organizations and employees that are eligible to participate in the affected program(s).

- Q9. Will I be subject to changes within these Federal benefits that impact on my benefits after 1/31/03?

- A9. Yes. Changes in benefits that affect an employee's coverage and participation in the Federal benefits program will continue to affect CES employees. Increases in cost and changes in health benefits carriers will impact on CES employees in the same manner as other Federal employees that participate in the Federal benefits programs.
- Q10. Will I be able to change my retirement from CSRS, or CSRS Offset, to FERS during a FERS open season held after 1/31/03?
- A10. Yes. CES employees who participate in the Federal retirement plans, i.e., CSRS and CSRS Offset, can participate in an FERS open seasons.
- Q11. Will I be able to participate in open seasons for FEHB, FEGLI, and FLTCIP?
- A11. Yes. CES employees that are eligible to participate in these plans as of May 12, 2002, will be able to participate in the open seasons held after 1/31/03.
- Q12. Will I be able to participate in open seasons and enroll in the Federal benefits if I was not enrolled prior to 1/31/03?
- A12. Yes. CES employees who are not enrolled in the various benefit plans, i.e., FEHB, FLTCIP, and FEGLI can participate during open season IF their employing CES organization participated in the specific benefit program on May 12, 2002; or, if the employee moves to another CES organization that participates in the Federal benefit program.
- Q13. Will I continue to pay the same cost for Federal benefits and programs that other Federal employees pay?
- A13. Yes. The employee's contributions will continue to be the same as the contributions of other Federal employees that participate in the Federal benefit programs.
- Q14. How will I be kept up to date on Federal benefits programs and retirement plans?
- A14. You will continue to receive information on the various Federal benefit programs in the same manner that you currently do. You will contact your CES Human Resources (HR) Office at your university. In addition, the Guidance on Federal Human Resources and Benefits for Cooperative Extension Service contains current information on the Federal benefit programs and will be maintained on the CSREES web site ([www.csrees.usda.gov/about/human\\_res/cesguide/ceshr\\_index.html](http://www.csrees.usda.gov/about/human_res/cesguide/ceshr_index.html)).

## **B. RECORD KEEPING**

- Q15. Will I receive information on my current benefits before my Federal Appointment is

terminated?

- A15. Yes. All CES employees with the companion Schedule A appointment will receive a copy of the CES-436, Notification of Personnel Action, which will document your benefit coverage determinations.

The CES-436 includes information on an employee's creditable service for retirement (SCD for Retirement), and their participation in the FEHB, FEGLI, and TSP. All employees should review their copy of the personnel action form and address any questions or concerns that they may have on their creditable service and other benefits to their CES HR contact.

- Q16. Who will have a record of my employment and information on my creditable service for Federal retirement?

- A16. A record of your employment will be documented in your Official Personnel Folder (OPF) maintained by the CES HR office. Your OPF will continue to be maintained and updated as changes are made to your benefits. In addition, the Individual Retirement Records that have been used to document your creditable service and deposits to your retirement account will continue to be documented until you retire or separate under some other action. USDA will also maintain records of your employment and copies of your termination action and Individual Retirement Records.

## **C. PERSONNEL ACTIONS**

- Q17. Will I continue to receive copies of my Federal personnel actions, i.e., 436's?

- A17. Yes, you will continue to receive copies of your personnel actions processed from present to 1/31/03. Your last Federal personnel action will be the termination of your appointment effective 1/31/03.

CES-436's will not be processed after 1/31/03; however, changes in benefits and options will be documented on the appropriate Federal form and filed in your OPF. Changes will also be documented/posted on the Individual Retirement Records.

- Q18. Will there be a change in the way my benefit contributions are withheld and/or processed?

- A18. At the present time we see no change in the way your contributions are processed. However, new programs and systems, implemented after 1/31/03, may or may not affect the way your contributions are withheld and/or processed.

## **D. INJURY CLAIMS**

- Q19. If I am injured on the job after 1/31/03, who should I contact?

- A19. Contact your CES HR office responsible for the state Office of Workers' Compensation Program (OWCP). He/She will instruct you on the procedures for filing a state OWCP claim.
- Q20. If I am injured on the job after 1/31/03 and I need to file a claim, do I file the claim under the state workers' compensation, or the Federal workers' compensation?
- A20. All claims for on the job illness/injury after 1/31/03 must be filed with the state OWCP office. Effective with SEC. 7220 of the Farm Bill, on 1/31/03 no new OWCP claims can be submitted to the Federal OWCP office because the CES Federal appointees are no longer eligible to participate in the Federal OWCP.
- Q21. If I have an injury claim on file with the Department of Labor, OWCP, and I am receiving medical and/or compensation benefits will I continue to receive medical benefits?
- A21. All OWCP cases filed before 2/1/03 will continue to be the responsibility of the Federal government. CES employees and HR officials involved with the Federal OWCP will continue with the current process, and the medical cost and any compensation due the employee will continue to be paid by the Federal OWCP.

#### **E. SEPARATION ACTIONS**

- Q22. Will I be able to retire after 1/31/03 under the same conditions and with the same requirements available prior to 1/31/03?
- A22. Yes. The retirement provision that covers all employees in the Federal retirement plans will continue to apply to CES former Federal appointees.
- Q23. Can I retire and return after 1/31/03 and not be subject to the Federal Reemployment Annuitant provisions?
- A23. Yes, if you have a break in service. Effective 2/1/03 CES will no longer be able to grant reappointments with a break in service because the organization does not meet the criteria for creditable service for Federal retirement. Also, no new appointments and appointments with a break in service can be made after 2/12/2002.
- Q24. Who is my contact for information on my Federal benefits and the Federal retirement program?
- A24. Your initial contact for information on your Federal benefits and retirement program is your CES HR office. In addition, information on the retirement plans and benefits programs can be found in the Guidance on Federal Human Resources and Benefits for Cooperative Extension Service.
- Q25. Will I be able to transfer to another CES organization after 1/31/03?

- A25. All CES Federal Schedule A appointees on the rolls as of 1/31/03 can be reappointed in another CES office IF they do not have a break in service of more than 3 days.
- Q26. What effect would a transfer have on my benefits, if I transfer to another CES office?
- A26. Generally, if you accept employment in another CES office without a break in service, all of your current benefits and retirement coverage will be transferred with you as long as the new CES organization participates in the Federal benefits programs you are currently enrolled in. All CES organizations vary as to which Federal retirement plan and other Federal benefit programs they offer. You need to verify what the new CES organization does and does not offer in regards to Federal benefits in order for you to make your best decision.

If the new CES organization does not participate in one or more of the Federal benefits plans that you are currently enrolled you will not be able to transfer the enrolled benefit with you.

If the new CES organization participates in one or more of the Federal benefits plans that you are not enrolled in, because your losing CES organization did not participate in the benefit program or plan, you will be eligible to participate in the Federal benefit program and the Federal rules apply to you as if you were a new Federal employee for that particular benefit.

However, all of the above is limited by the provision in SEC. 7220 that, in such a move, the receiving CES organization must have employed, within 1 year prior to the move, a different former dual appointee who had performed the same duties of employment. If the receiving CES organization has not, the moving former dual appointee may not participate at the receiving CES organization in any of the Federal benefit programs available under SEC. 7220 to former dual appointees.

Leave cannot be transferred from one CES organization to another. As with any other leave, frozen sick leave cannot be transferred from one CES organization to another to compute length of service for retirement.

- Q27. What effect would a transfer have on my benefits, if I transfer to a Federal agency and not another than CES?
- A27. If you transfer to another Federal agency which grants you a Federal appointment, all of your benefits will be transferred with you. In addition, if you were in a CES organization that did not participate in a particular Federal benefit program you will be eligible to participate in the Federal program and be treated like a new Federal employee.

Leave cannot be transferred from one CES organization to another or to a Federal agency. As with any other leave, frozen sick leave cannot be transferred from one CES

organization to another or to a Federal agency to compute length of service for retirement.

Q28. Can I be appointed to a Federal agency if I resign after 1/31/03?

A28. You can be appointed to a Federal agency after 1/31/03 and all of your Federal service with CES, including all time after 1/31/03, will continue to be creditable service for Federal retirement. However, if you are covered by CSRS and move to a Federal job covered by CSRS on or after 2/1/04, you will be covered by the CSRS Offset retirement plan because you will have had a break in service from a Federal appointment of more than 365 days. You will also have the opportunity to elect FERS.

Q29. Will we still have opportunities for Federal early retirements, i.e., Discontinued Service Retirements and Voluntary Early Retirement Authorities?

A29. Yes.

Q30. Will I continue to receive credit for my Frozen Sick Leave after 1/31/03?

A30. You will continue to receive credit for frozen sick leave IF you continue to be employed by the CES organization that employed you when the leave was frozen.

Q31. Will I continue to be covered by the conditions and requirements to transfer my health and life insurance when I retire?

A31. Yes. You will continue to be covered by the same regulations and procedures that pertain to the transfer of health and life insurance into retirement that apply to all Federal employees that participate in the Federal health and life insurance programs.

Q32. If I do not meet the requirement to transfer health insurance with me when I retire after 1/31/03 will I still be able to request an "Waiver of the 5 year Requirement" to transfer my health insurance into retirement?

A32. Yes. You will be permitted to request for a waiver if your circumstances meet the intent of a waiver. If you elect to retire under a Voluntary Early Retirement Authority you are granted a waiver.

## **F. OTHER**

Q33. Can I keep my current Federal Identification (ID) card after 1/31/03?

A33. No. Federal ID cards must be returned to your CES HR office. You may retain your

university ID card if you have one.

Q34. If I can not keep my current Federal ID card after 1/31/03, who should I contact to obtain an ID card if I have no other ID card?

A34. Contact your CES HR office for information on obtaining a new ID card.

Q35. Can I continue to receive Federal Travel and hotel rates?

A35. No. You are no longer considered a Federal employee for travel and hotel purposes and you will have no Federal ID to verify eligibility for Federal rates.